

105TH CONGRESS
1ST SESSION

S. 64

To state the national missile defense policy of the United States.

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. LUGAR introduced the following bill; which was read twice and referred
to the Committee on Armed Services

A BILL

To state the national missile defense policy of the United
States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Defend the United
5 States of America Act of 1997”.

6 **SEC. 2. FINDINGS.**

7 (a) MISSILE DEFENSES AND ARMS CONTROL AGREE-
8 MENTS.—With respect to missile defenses and arms con-
9 trol agreements, Congress makes the following findings:

10 (1) Short-range theater ballistic missiles threat-
11 en United States Armed Forces engaged abroad.

1 Therefore, the expeditious deployment of theater
2 missile defenses to intercept ballistic missiles threat-
3 ening the Armed Forces abroad is the highest prior-
4 ity among all ballistic missile defense programs.

5 (2) The United States is developing defensive
6 systems to protect the United States against the
7 emerging threat of limited strategic ballistic missile
8 attacks. Ground-based defensive systems are attain-
9 able, are permitted by the ABM Treaty, are avail-
10 able sooner and are more affordable than spaced-
11 based interceptors or space-based lasers, and can
12 protect all of the United States from limited ballistic
13 missile attack.

14 (3) Deterring limited ballistic missile attacks
15 upon our national territory requires not only na-
16 tional missile defenses but arms control agreements
17 and nonproliferation measures that can lower the
18 threat and curb the spread of ballistic missile
19 technology.

20 (4) The massive retaliatory capability of the
21 United States deterred the Soviet Union, and any
22 other nation, from launching an attack by interconti-
23 nental ballistic missiles throughout the Cold War.

1 The Nuclear Posture Review conducted by the De-
2 partment of Defense affirms the fundamental effec-
3 tiveness of deterrence of large-scale nuclear attacks
4 now and into the future. While the threat of inten-
5 tional attack upon the United States has receded,
6 the risk of an accidental or unauthorized attack by
7 Russia or China remains, albeit remotely.

8 (5) United States arms control agreements (no-
9 tably the START I Treaty and the START II Trea-
10 ty, once implemented) will significantly reduce the
11 threat to the United States from large-scale nuclear
12 attack. The START I Treaty, when fully imple-
13 mented, will reduce deployed strategic warheads by
14 over 40 percent below 1990 levels. By the end of
15 1996, only Russia, among the states of the former
16 Soviet Union, will deploy nuclear weapons. The
17 START II Treaty, once implemented, will reduce
18 strategic warheads deployed in Russia by 66 percent
19 below their levels before the START I Treaty.

20 (6) As strategic offensive weapons are reduced,
21 the efficacy and affordability of defensive systems in-
22 creases, strengthening the long-term prospects for
23 deterrence based upon effective defenses in addition
24 to deterrence based upon the threat of retaliation.

1 (7) Countries hostile to the United States (such
2 as Iraq, Iran, North Korea, and Libya) have mani-
3 fested an interest in developing both nuclear weap-
4 ons and ballistic missiles capable of reaching the
5 United States. In the absence of outside assistance,
6 newly emerging threats from these countries may
7 take as long as 15 years or more to mature, accord-
8 ing to recent intelligence estimates. These countries
9 could accelerate the development of long-range mis-
10 siles if they receive external support.

11 (8) The Treaty on the Non-Proliferation of Nu-
12 clear Weapons, the Missile Technology Control Re-
13 gime, the Biological and Chemical Weapons Conven-
14 tions, and continuing United States efforts to en-
15 force export controls may prevent or delay external
16 assistance needed by those countries to develop
17 intercontinental ballistic missiles and weapons of
18 mass destruction. Cooperation among our allies and
19 the Russian Federation to limit exports of the rel-
20 evant hardware and knowledge can help.

21 (9) The ABM Treaty has added to strategic
22 stability by restraining the requirement on both
23 sides for strategic weapons. At the summit in May
24 1995, the President of the United States and the

1 President of Russia each reaffirmed his country's
2 commitment to the ABM Treaty.

3 (10) Abrogating the ABM Treaty to deploy a
4 noncompliant national missile defense system will
5 not add to strategic stability if it impedes implemen-
6 tation of the START I or START II Treaties. With-
7 out the reductions to strategic weapons required by
8 both treaties, the consequences and risks of unau-
9 thorized or accidental launches will increase.

10 (11) If the nuclear arsenal of the United States
11 must be maintained at START I levels, significant
12 unbudgeted costs will be incurred, encroaching on
13 funds for ballistic missile defenses and all other de-
14 fense requirements.

15 (12) Should the combination of arms control,
16 nonproliferation efforts, and deterrence fail, the
17 United States must be able to defend itself against
18 limited ballistic missile attack.

19 (13) National missile defense systems consist-
20 ent with the ABM Treaty are capable of defending
21 against limited ballistic missile attack. Should a na-
22 tional missile defense system require modification of
23 the ABM Treaty, the treaty establishes the means
24 for the parties to amend the treaty, which the par-
25 ties have used in the past.

1 (14) While a single-site national missile defense
2 system can defend all of the United States against
3 limited ballistic missile attacks, the addition of a
4 second site would substantially improve the effective-
5 ness of a limited national missile defense system.

6 (15) Adding a second national missile defense
7 site to the initial national missile defense system at
8 the former Safeguard antiballistic missile defense
9 site at Grand Forks, North Dakota, results in only
10 a slight degradation of two-site effectiveness when
11 compared to two optimally-sited national missile de-
12 fense deployment locations.

13 (b) WEAPONS OF MASS DESTRUCTION OTHER THAN
14 MISSILE-DELIVERED NUCLEAR WEAPONS.—With respect
15 to threatened employment of weapons of mass destruction
16 other than nuclear weapons delivered by long-range ballis-
17 tic missiles against the United States, Congress makes the
18 following findings:

19 (1) In addition to the threat of nuclear weapons
20 delivered by long-range ballistic missiles, the United
21 States faces other threatened uses of weapons of
22 mass destruction, including chemical, biological, and
23 radiological weapons, and other delivery means, in-
24 cluding commercial or private aircraft, cruise mis-
25 siles, international shipping containers delivered by

1 land or sea, and domestic manufacture and delivery
2 by private entities.

3 (2) Chemical weapons have already threatened
4 United States citizens. The terrorist bomb used
5 against the World Trade Center in New York City
6 contained materials intended to generate lethal
7 chemicals in addition to the explosive effect, but the
8 materials failed to generate a toxic mixture.

9 (3) The explosive device used against the
10 Murrah Federal Building in Oklahoma City was con-
11 structed of commonly available materials in the
12 United States and delivered by rental truck.

13 (4) The Aum Shinrikyo sect in Japan manufac-
14 tured lethal sarin gas and released it in Tokyo sub-
15 ways, causing numerous fatalities and thousands of
16 casualties.

17 (5) Chechen rebels threatened to spread lethal
18 radiation throughout Moscow and revealed to the
19 media the location of a small radioactive source hid-
20 den in a Moscow park.

21 (6) Federal, State, and local governments are
22 all poorly prepared to deal with threatened or actual
23 use of chemical, biological, or radiological weapons
24 against United States cities.

1 (7) Therefore, it is necessary for priorities to be
2 established for dealing with the full spectrum of
3 threatened use of weapons of mass destruction
4 against the United States based on assessments of
5 the likelihood of the occurrence of each particular
6 threat, and for funding to be allocated in accordance
7 with those priorities.

8 (c) DEVELOPMENT OF COMPLEX SYSTEMS.—With
9 respect to the development of complex systems, Congress
10 makes the following findings:

11 (1) The United States developed and deployed
12 an antiballistic missile system known as Safeguard.
13 The system was deactivated only months after
14 achieving initial operating capability because of high
15 cost and concern about limited effectiveness.

16 (2) Since 1983, the United States has expended
17 more than \$35,000,000,000 on the development of
18 missile defenses, and most of that has been ex-
19 pended for the development of national missile
20 defenses.

21 (3) There exists today no operational hardware
22 that could be deployed to provide a national missile
23 defense capability against strategic ballistic missiles.

1 Therefore, there exist no test data from which to as-
2 sess the performance and cost of a deployed national
3 missile defense system.

4 (4) Congress has traditionally insisted that
5 major weapon systems be rigorously tested prior to
6 full-rate production so that system performance is
7 demonstrated and system cost estimates are better
8 refined.

9 (5) Therefore, consistent with that tradition, it
10 is appropriate that any national missile defense sys-
11 tem developed for deployment be rigorously tested
12 prior to a deployment decision in order to dem-
13 onstrate successful performance and refine system
14 costs.

15 **SEC. 3. NATIONAL MISSILE DEFENSE POLICY.**

16 (a) RESEARCH AND DEVELOPMENT PROGRAM.—(1)
17 The Secretary of Defense shall conduct a research and de-
18 velopment program to develop an antiballistic missile sys-
19 tem described in subsection (b) that could achieve initial
20 operational capability by the end of 2003.

21 (2) A decision whether to deploy the antiballistic mis-
22 sile system shall be made by Congress during 2000 in ac-
23 cordance with this section.

24 (3) The Secretary shall ensure that the development
25 and deployment of an antiballistic missile system under

1 this section fully complies with the ABM Treaty and with
2 all other treaty obligations.

3 (b) SYSTEM DESIGN.—The antiballistic missile sys-
4 tem developed under subsection (a) shall—

5 (1) be designed to protect the United States
6 against limited ballistic missile threats, including ac-
7 cidental or unauthorized launches or attacks by
8 Third World countries;

9 (2) be developed for deployment at a single site;
10 and

11 (3) include as the system components—

12 (A) fixed, ground-based, antiballistic mis-
13 sile battle management radars at the site;

14 (B) up to 100 ground-based interceptor
15 missiles;

16 (C) as necessary, space-based adjuncts, in-
17 cluding the Space Surveillance and Missile
18 Tracking System, that are not prohibited by the
19 ABM Treaty; and

20 (D) as necessary, Large Phased Array Ra-
21 dars (upgraded from other radars or newly con-
22 structed) that are located on the periphery of
23 the United States, face outward, and are not
24 prohibited by the ABM Treaty.

1 (c) DEPLOYMENT DECISION FACTORS.—The factors
2 to be considered by Congress for a decision to deploy the
3 antiballistic missile system are as follows:

4 (1) The projected threat of ballistic missile at-
5 tack against the United States in 2000 and follow-
6 ing years.

7 (2) The projected cost and effectiveness of the
8 system, determined on the basis of the technology
9 available in 2000 and the performance of the system
10 as demonstrated in testing.

11 (3) The projected cost and effectiveness of the
12 system if, at the time of the decision to deploy, de-
13 velopment for deployment were to be continued for—

14 (A) one additional year,

15 (B) two additional years, and

16 (C) three additional years,

17 taking into consideration the projected availability of
18 any synergistic systems that are under development
19 in 2000.

20 (4) Arms control factors.

21 (5) The preparedness of the United States to
22 defend the United States against the full range of
23 threats of attack by weapons of mass destruction,
24 and the relative priorities for funding of defenses
25 against such threats.

1 (d) DEPLOYMENT RECOMMENDATION.—Not later
2 than March 31, 2000, the President shall submit to Con-
3 gress a report containing the President’s recommendation
4 regarding whether to deploy the antiballistic missile sys-
5 tem developed under this section. In addition, the report
6 shall include the following:

7 (1) A description of the system that could be
8 deployed.

9 (2) A discussion of the basis for the President’s
10 recommendation in terms of the factors set forth in
11 subsection (c).

12 (e) CONGRESSIONAL DECISION ON DEPLOYMENT.—
13 (1) The report of the President under subsection (d) shall
14 be referred to the Committee on Armed Services of the
15 Senate upon receipt in the Senate and to the Committee
16 on National Security of the House of Representatives
17 upon receipt in that House.

18 (2) A joint resolution described in paragraph (1) of
19 subsection (f) that is introduced within the 30-day period
20 beginning on the date on which Congress receives the
21 President’s report shall be considered under the expedited
22 procedures set forth in that subsection.

23 (f) EXPEDITED PROCEDURE.—(1) For the purposes
24 of subsection (e)(2), “joint resolution” means only a joint
25 resolution the matter after the resolving clause of which

1 is as follows: “Congress authorizes the Secretary of De-
2 fense to begin the deployment at the former Safeguard
3 antiballistic missile site, Grand Forks, North Dakota, of
4 an antiballistic missile system that—

5 “(1) is designed to protect the United States
6 against limited ballistic missile threats, including ac-
7 cidental or unauthorized launches or attacks by
8 Third World countries;

9 “(2) is developed for deployment at a single
10 site; and

11 “(3) includes as the system components—

12 “(A) fixed, ground-based, antiballistic mis-
13 sile battle management radars at the site;

14 “(B) up to 100 ground-based interceptor
15 missiles;

16 “(C) as necessary, space-based adjuncts,
17 including the Space Surveillance and Missile
18 Tracking System, that are not prohibited by the
19 ABM Treaty; and

20 “(D) as necessary, Large Phased Array
21 Radars (upgraded from other radars or newly
22 constructed) that are located on the periphery
23 of the United States, face outward, and are not
24 prohibited by the ABM Treaty.”.

1 (2) A resolution described in paragraph (1) intro-
2 duced in the House of Representatives shall be referred
3 to the Committee on National Security of the House of
4 Representatives. A resolution described in paragraph (1)
5 introduced in the Senate shall be referred to the Commit-
6 tee on Armed Services of the Senate. Such a resolution
7 may not be reported before the eighth day after its
8 introduction.

9 (3) If the committee to which is referred a resolution
10 described in paragraph (1) has not reported such resolu-
11 tion (or an identical resolution) at the end of 30 days after
12 its introduction or at the end of the first day after there
13 has been reported to the House involved a joint resolution
14 described in paragraph (1), whichever is earlier, such com-
15 mittee shall be deemed to be discharged from further con-
16 sideration of such resolution and such resolution shall be
17 placed on the appropriate calendar of the House involved.

18 (4) When the committee to which a resolution is re-
19 ferred has reported, or has been deemed to be discharged
20 (under paragraph (3)) from further consideration of, a
21 resolution described in paragraph (1), it is at any time
22 thereafter in order (even though a previous motion to the
23 same effect has been disagreed to) for any Member of the
24 respective House to move to proceed to the consideration

1 of the resolution, and all points of order against the reso-
 2 lution (and against consideration of the resolution) are
 3 waived. The motion is highly privileged in the House of
 4 Representatives and is privileged in the Senate and is not
 5 debatable. The motion is not subject to amendment, or
 6 to a motion to postpone, or to a motion to proceed to the
 7 consideration of other business. A motion to reconsider the
 8 vote by which the motion is agreed to or disagreed to shall
 9 not be in order.

10 (5) If, before the passage by one House of a resolu-
 11 tion of that House described in paragraph (1), that House
 12 receives from the other House a resolution described in
 13 paragraph (1), then the following procedures shall apply:

14 (A) The resolution of the other House shall not
 15 be referred to a committee.

16 (B) With respect to a resolution described in
 17 paragraph (1) of the House receiving the
 18 resolution—

19 (i) the procedure in that House shall be
 20 the same as if no resolution had been received
 21 from the other House; but

22 (ii) the vote on final passage shall be on
 23 the resolution of the other House.

24 (6) This subsection is enacted by Congress—

1 (A) as an exercise of the rulemaking power of
 2 the Senate and House of Representatives, respec-
 3 tively, and as such it is deemed a part of the rules
 4 of each House, respectively, but applicable only with
 5 respect to the procedure to be followed in that
 6 House in the case of a resolution described in para-
 7 graph (1), and it supersedes other rules only to the
 8 extent that it is inconsistent with such rules; and

9 (B) with full recognition of the constitutional
 10 right of either House to change the rules (so far as
 11 relating to the procedure of that House) at any time,
 12 in the same manner and to the same extent as in
 13 the case of any other rule of that House.

14 **SEC. 4. RELATIONSHIP OF ABM SYSTEM DEPLOYMENT AND**
 15 **ARMS CONTROL.**

16 (a) FINDINGS.—Congress makes the following
 17 findings:

18 (1) Deployment of an antiballistic missile sys-
 19 tem in accordance with section 3 is fully consistent
 20 with the rights of the parties to the ABM Treaty.

21 (2) Deployment of an antiballistic missile sys-
 22 tem in accordance with section 3 would not threaten
 23 the deterrent capability of the Russian nuclear mis-
 24 sile forces at force levels agreed to under the
 25 START I Treaty, at force levels permitted under the

1 START II Treaty, or even at force levels below the
2 agreed or permitted force levels.

3 (b) DISCUSSIONS WITH RUSSIA.—Congress urges the
4 President to pursue discussions with Russia regarding—

5 (1) potential opportunities for cooperation on
6 research and development of ballistic missile defense
7 capabilities, including, for example—

8 (A) research and development of missile
9 warning and tracking capabilities;

10 (B) research and development of intel-
11 ligence and warning indications regarding Third
12 World activities on ballistic missiles and weap-
13 ons of mass destruction; and

14 (C) joint research and development of
15 more effective theater missile defenses;

16 (2) amendments to the ABM Treaty, as nec-
17 essary, that would permit development and deploy-
18 ment of more effective limited defenses of the two
19 countries against long-range ballistic missile attacks;
20 and

21 (3) establishment of conditions conducive to
22 more effective national missile defense, such as re-
23 scinding the 1974 Protocol to the ABM Treaty and
24 making conforming changes to the ABM Treaty in
25 order to permit in each country a second ballistic

1 missile defense site, optimally located, and up to 100
 2 additional interceptor missiles at such site.

3 (c) ALTERNATIVE ACTION UNDER ABM TREATY.—

4 If the President determines that, due to increasing threats
 5 of ballistic missile attack on the United States, it is nec-
 6 essary to expand the antiballistic missile system provided
 7 for under section 3 beyond limits provided under the ABM
 8 Treaty and that discussions between the United States
 9 and Russia regarding cooperative liberalization of those
 10 limits is unsuccessful, the President shall consult with
 11 Congress on whether to exercise the right under Article
 12 XV of the ABM Treaty for a party to withdraw from the
 13 treaty.

14 **SEC. 5. DEVELOPMENT OF FOLLOW-ON NATIONAL MISSILE**
 15 **DEFENSE TECHNOLOGIES.**

16 The Secretary of Defense, through the Ballistic Mis-
 17 sile Defense Organization, shall maintain a robust pro-
 18 gram of research and development of national missile de-
 19 fense technologies while developing for deployment the
 20 antiballistic missile system provided for under section 3.
 21 These research and development activities shall be con-
 22 ducted in full compliance with the ABM Treaty.

1 **SEC. 6. POLICY REGARDING REDUCTION OF THE THREAT**
2 **TO THE UNITED STATES FROM WEAPONS OF**
3 **MASS DESTRUCTION.**

4 (a) MEASURES TO ADDRESS THREATS FROM WEAP-
5 ONS OF MASS DESTRUCTION.—In order to defend against
6 weapons of mass destruction by preventing the spread of
7 fissile materials and other components of weapons of mass
8 destruction, the President shall—

9 (1) enhance efforts, both unilaterally and in co-
10 operation with other nations, to prevent terrorist or-
11 ganizations from obtaining and using weapons of
12 mass destruction;

13 (2) expedite United States efforts to assist the
14 Governments of Russia, Ukraine, Belarus, and
15 Kazakhstan, as appropriate, in improving the safety,
16 security, and accountability of fissile materials and
17 nuclear warheads;

18 (3) undertake additional steps to prevent weap-
19 ons of mass destruction and their components from
20 being smuggled into the United States, through the
21 use of improved security devices at United States
22 ports of entry, increased numbers of Border Patrol
23 agents, increased monitoring of international bor-
24 ders, and other appropriate measures;

25 (4) seek the widest possible international adher-
26 ence to the Missile Technology Control Regime and

1 pursue to the fullest other export control measures
 2 intended to deter and counter the spread of weapons
 3 of mass destruction and their components; and

4 (5) enhance conventional weapons systems to
 5 ensure that the United States possesses effective de-
 6 terrent and counterforce capabilities against weap-
 7 ons of mass destruction and their delivery systems.

8 (b) MEASURES TO ADDRESS THREATS FROM
 9 ICBMs.—In order to reduce the threat to the United
 10 States from weapons of mass destruction delivered by
 11 intercontinental ballistic missiles, including accidental or
 12 unauthorized launches, the President shall—

13 (1) urge the Government and Parliament of
 14 Russia to ratify the START II Treaty as soon as
 15 possible, permitting its expeditious entry into force;

16 (2) pursue with the Government of Russia,
 17 after START II entry-into-force, a symmetrical pro-
 18 gram of early deactivation of strategic forces to be
 19 eliminated under START II; and

20 (3) work jointly with countries possessing inter-
 21 continental ballistic missiles to improve command
 22 and control technology (such as permissive actions
 23 links and other safety devices) and operations to the
 24 maximum extent practicable.

1 (c) PLAN TO REDUCE THREATS OF WEAPONS OF
 2 MASS DESTRUCTION.—The Secretary shall develop a com-
 3 prehensive plan for reducing the threat to the United
 4 States of weapons of mass destruction. The Secretary
 5 shall develop the plan jointly with the Secretary of State,
 6 the Secretary of Energy, the Secretary of the Treasury,
 7 the Attorney General, and the Director of Central Intel-
 8 ligence. The plan shall implement the requirements of sub-
 9 sections (a) and (b).

10 **SEC. 7. JOINT PRESIDENTIAL-CONGRESSIONAL REVIEW**
 11 **AFTER DEPLOYMENT OF INITIAL ABM**
 12 **SYSTEM.**

13 (a) REVIEW REQUIRED.—After the first national
 14 missile defense system deployed after the date of the en-
 15 actment of this Act attains initial operational capability,
 16 the President and Congress shall jointly review the mat-
 17 ters described in subsection (b) in order to determine pri-
 18 orities for future research and development, and possible
 19 deployment of national missile defense technologies, and
 20 for continued cooperation with Russia on arms control.

21 (b) MATTERS TO BE REVIEWED.—The review shall
 22 cover the following matters:

23 (1) The status of cooperation and discussions
 24 between the United States and Russia on matters
 25 described in section 4(b) and on other matters of

1 common interest for the national security of both
2 countries.

3 (2) The projected threat of ballistic missile at-
4 tack on the United States.

5 (3) Other projected threats of attacks on the
6 United States with weapons of mass destruction.

7 (4) United States preparedness to respond to or
8 defend against such threats.

9 (5) The status of research and development on
10 national missile defense technologies referred to in
11 section 5.

12 **SEC. 8. REPORTING REQUIREMENT.**

13 (a) REQUIREMENT.—Not later than March 15, 1998,
14 the Secretary of Defense shall submit to Congress a report
15 on the following plans:

16 (1) The Secretary's plan for the carrying out
17 the national missile defense program in accordance
18 with the requirements of this Act.

19 (2) The plan for reducing the threat to the
20 United States of weapons of mass destruction pre-
21 pared pursuant to section 6(c).

22 (b) PLAN FOR NATIONAL MISSILE DEFENSE.—With
23 respect to the Secretary's plan for the national missile de-
24 fense program, the report shall include the following
25 matters:

1 (1) The antiballistic missile system architecture,
2 including—

3 (A) a detailed description of the system ar-
4 chitecture selected for development; and

5 (B) a justification of the architecture se-
6 lected and reasons for the rejection of the other
7 candidate architectures.

8 (2) The Secretary's estimate of the amount of
9 appropriations required for research, development,
10 test, and evaluation, and for procurement, for each
11 of fiscal years 1998 through 2003 in order to
12 achieve an initial operational capability of the anti-
13 ballistic missile system in 2003.

14 (3) A description of promising technologies to
15 be pursued in accordance with the requirements of
16 section 5.

17 (4) A determination of the point, if any, at
18 which any activity that is required to be carried out
19 under this title would conflict with the terms of the
20 ABM Treaty, together with a description of any
21 such activity, the legal basis for the Secretary's de-
22 termination, and an estimate of the time at which
23 such point would be reached in order to meet an ini-
24 tial operating capability in the year 2003.

1 **SEC. 9. TREATIES DEFINED.**

2 In this Act:

3 (1) ABM TREATY.—The term “ABM Treaty”
4 means the Treaty Between the United States and
5 the Union of Soviet Socialist Republics on the Limi-
6 tation of Anti-Ballistic Missile Systems, signed at
7 Moscow on May 26, 1972, and includes Protocols to
8 that Treaty signed at Moscow on July 3, 1974, and
9 all Agreed Statements and amendments to such
10 Treaty in effect.

11 (2) START I TREATY.—The term “START I
12 Treaty” means the Treaty Between the United
13 States of America and the Union of Soviet Socialist
14 Republics on the Reduction and Limitation of Stra-
15 tegic Offensive Arms, signed at Moscow on July 31,
16 1991, including related annexes on agreed state-
17 ments and definitions, protocols, and memorandum
18 of understanding.

19 (3) START II TREATY.—The term “START II
20 Treaty” means the Treaty Between the United
21 States of America and the Russian Federation on
22 Further Reduction and Limitation of Strategic Of-
23 fensive Arms, signed at Moscow on January 3,
24 1993, including the following protocols and memo-
25 randum of understanding, all such documents being
26 integral parts of and collectively referred to as the

1 “START II Treaty” (contained in Treaty Document
2 103–1):

3 (A) The Protocol on Procedures Governing
4 Elimination of Heavy ICBMs and on Proce-
5 dures Governing Conversion of Silo Launchers
6 of Heavy ICBMs Relating to the Treaty Be-
7 tween the United States of America and the
8 Russian Federation on Further Reduction and
9 Limitation of Strategic Offensive Arms (also
10 known as the “Elimination and Conversion
11 Protocol”).

12 (B) The Protocol on Exhibitions and In-
13 spections of Heavy Bombers Relating to the
14 Treaty Between the United States and the Rus-
15 sian Federation on Further Reduction and
16 Limitation of Strategic Offensive Arms (also
17 known as the “Exhibitions and Inspections
18 Protocol”).

19 (C) The Memorandum of Understanding
20 on Warhead Attribution and Heavy Bomber
21 Data Relating to the Treaty Between the Unit-
22 ed States of America and the Russian Federa-
23 tion on Further Reduction and Limitation of
24 Strategic Offensive Arms (also known as the
25 “Memorandum on Attribution”).

1 (4) MISSILE TECHNOLOGY CONTROL REGIME.—
2 The term “Missile Technology Control Regime” has
3 the meaning given such term in section 11B(c) of
4 the Export Administration Act of 1979 (50 U.S.C.
5 App. 2410b(c)).

○